

10-07-04

1FW \$

PTO/SB/21 (08-00)

Please type a plus sign (+) inside this box → ☐

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number 10/688,847

Filing Date October 17, 2003

First Named Inventor Goodwin

Group Art Unit 3728

Examiner Name Patterson, Marie D.

Total Number of Pages in This Submission

Attorney Docket Number 05127.00261

ENCLOSURES (check all that apply)☒ Fee Transmittal Form☐ Fee Attached☐ Amendment / Response☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☒ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/ Incomplete Application☐ Response to Missing Parts under 37 CFR 1.52 or 1.53☐ Assignment Papers (for an Application)☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a Provisional Application☐ Power of Attorney, Revocation Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ After Allowance Communication to Group☐ Appeal Communication to Board of Appeals and Interferences☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please identify below):

- PTO Form SB08A without cited references attached

Remarks

Being filed via Express Mail No. EL941346434US

The Commissioner is hereby authorized to charge any deficiencies in payment or credit any overpayment to our Deposit Account 19-0733.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Scott A. Burow

Signature

Scott Burow

Date

October 6, 2004

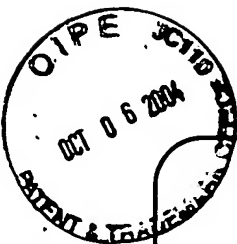
CERTIFICATE OF MAILINGI hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

Typed or printed name

Signature

Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180

Complete if Known

Application Number	10/688,847
Filing Date	October 17, 2003
First Named Inventor	Goodwin
Examiner Name	Patterson, Marie D.
Art Unit	3728
Attorney Docket No.	05127.00261

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None
Order☒ Deposit Account:Deposit
Account
Number

19-0733

Deposit
Account
Name

Banner & Witcoff, LTD.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee
to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
0	0	0	0
Independent Claims	0	0	0
Multiple Dependent	0	290	0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	88	2201	44	Independent claims in excess of 3
1203	300	2203	150	Multiple dependent claim, if not paid
1204	88	2204	44	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 0)

*or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Director	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Statement	180
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 180)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Scott A. Burow	Registration No. (Attorney/Agent)	42,373	Telephone	312-463-5000
Signature	Scott Burow	Date	October 6, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-785-9199) and select option 2.

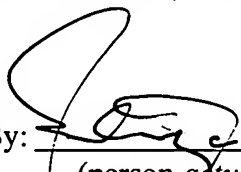


CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail No. EL941346434US

Deposited: October 6, 2004

I hereby certify that the attached correspondence, identified below, is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, 22313-1450.

By: 
(person *actually* depositing)

In the Application of: David A. Goodwin

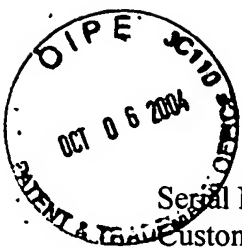
Serial No.: 10/688,847

Filing Date: October 17, 2003

Title: Protective Cage for Footwear Bladder

- ☒ Fee Transmittal Letter (1 page) in duplicate
- ☒ Transmittal Letter (1 page) in duplicate
- ☒ Information Disclosure Statement (3 pages)
- ☒ PTO Form 1449 with cited references attached (1 page)
- ☒ Postcard

Attorney Docket No.: 05127.00261



Serial No.: 10/688,847

Customer No.: 22908

Information Disclosure Statement dated October 6, 2004

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(Attorney Docket No. 05127.00261)

In re Application of:

David A. Goodwin

Serial No.: 10/688,847

Filed: October 17, 2003

For: Protective Cage for Footwear Bladder

Examiner: Patterson, Marie D.

Group Art Unit: 3728

INFORMATION DISCLOSURE STATEMENT

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

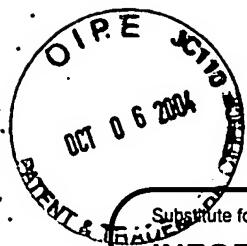
Dear Sir:

Pursuant to 37 C.F.R. Section 1.97-1.98, applicants wish to make the following references of record in the above-identified application. These references may be material to the patentability of the presently pending claims.

This application is a continuation application of previously filed application Serial No. 09/953,978, filed on September 17, 2001, and now U.S. Patent No. 6,665,958.

10/08/2004 BSAYASI1 00000033 190733 10688847

01 FC:1806 180.00 DA



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known			
		Application Number	10/688,847		
		Filing Date	October 17, 2003		
		First Named Inventor	Goodwin		
		Group Art Unit	3728		
		Examiner Name	Patterson, Marie D.		
Sheet		of		Attorney Docket Number	05127.00261

U.S. PATENT DOCUMENTS					
Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US-4,219,945	09-02-1980	Rudy	
		US- B1 4,219,945	10-19-1993	Rudy	
		US- 4,506,460	03-26-1985	Rudy	
		US-4,610,099	09-09-1986	Signori	
		US-4,817,304	04-04-1989	Parker et al	
		US-4,906,502	03-06-1990	Rudy	
		US-5,083,361	01-28-1992	Rudy	
		US-5,220,737	06-22-1993	Edington	
		US-5,279,051	01-18-1994	Whatley	
		US- 5,353,459	10-11-1994	Potter et al.	
		US-5,363,570	11-15-1994	Allen et al.	
		US- 5,543,194	08-06-1996	Rudy	
		US-5,713,140	02-03-1998	Baggenstoss	
		US- 5,713,141	02-03-1998	Mitchell et al.	
		US-5,729,917	03-24-1998	Slepian et al.	
		US-5,778,563	07-14-1998	Ahlbaumer	
		US-5,933,983	08-10-1999	Jeon	
		US-5,937,545	08-17-1999	Dyer et al.	
		US- 5,952,065	09-14-1999	Mitchell et al.	
		US-6,115,943	09-12-2000	Gyr	
		US- 6,119,371	09-19-2000	Goodwin et al.	
		US-2002/0050,077 A1	05/02/2002	Wang et al.	

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		ROBERT C. JUVINALL, Professor of Engineering University of Michigan and KURT M. MARSHEK, Professor of Mechanical Engineering University of Texas; Fundamentals of Machine Component Design, Second Edition 1991, pp. 454-455, Section 12.10 Beam Springs (Including Leaf Springs); John Wiley & Sons Publishing, USA	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Serial No.: 10/688,847

Customer No.: 22908

Information Disclosure Statement dated October 6, 2004

U.S. Patents

	<u>Patent No.</u>	<u>Inventor</u>	<u>Issue Date</u>
1.	4,219,945	Rudy	09/02/1980
2.	B1 4,219,945	Rudy	10/19/1993
3.	4,506,460	Rudy	03/26/1985
4.	4,610,099	Signori	09/09/1986
5.	4,817,304	Parker et al.	04/04/1989
6.	4,906,502	Rudy	03/06/1990
7.	5,083,361	Rudy	01/28/1992
8.	5,220,737	Edington	06/22/1993
9.	5,279,051	Whatley	01/18/1994
10.	5,353,459	Potter et al.	10/11/1994
11.	5,363,570	Allen et al.	11/15/1994
12.	5,543,194	Rudy	08/06/1996
13.	5,713,140	Baggenstoss	02/03/1998
14.	5,713,141	Mitchell et al.	02/03/1998
15.	5,729,917	Slepian et al.	03/24/1998
16.	5,778,563	Ahlbaumer	07/14/1998
17.	5,933,983	Jeon	08/10/1999
18.	5,937,545	Dyer et al.	08/17/1999
19.	5,952,065	Mitchell et al.	09/14/1999
20.	6,115,943	Gyr	09/12/2000
21.	6,119,371	Goodwin et al.	09/19/2000
22.	2002/0050,077 A1	Wang et al.	05/02/2002

Other

1. Robert C. Juvinall, Professor of Engineering University of Michigan, Kurt M. Marshek, Professor of Mechanical Engineering, University of Texas; Fundamentals of Machine Component Design, Second Edition; pp. 454-455, Section 12.10 Beam Springs (Including Leaf Springs); 1991 John Wiley & Sons Publishing, U.S.A.

Serial No.: 10/688,847
Customer No.: 22908
Information Disclosure Statement dated October 6, 2004

Pursuant to 37, C.F.R. Section 1.98(d), copies of the references that were submitted to the Patent Office in Patent Application Serial No. 09/953,978, now U.S. Patent No. 6,665,958, are not being provided. A PTO/SB/08A listing all of the prior art is enclosed.

This Information Disclosure Statement is filed under 37 C.F.R. 1.97-1.98 after the issuance of a first Office Action on the merits. The Patent and Trademark Office is authorized to charge the appropriate filing fee of \$180 or credit any overpayment associated with this paper to Deposit Account No. 19-0733.

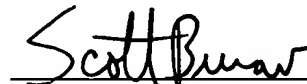
Early and favorable consideration is earnestly solicited.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: October 6, 2004

By:



Scott A. Burow
Reg. No. 42,373
Direct Dial (312) 715-3405